



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/040,539 03/17/98 YOSHIDA A JA997028

D J KAPPOS
IBM CORPORATION
INTELLECTUAL PROPERTY LAW
555 BAILEY AVENUE
SAN JOSE CA 95141

TM11/1017

EXAMINER

HUYNH, B

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 10/17/00 17

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/040,539

Applicant(s)

Akira Yoshida

Examiner

Huynh-Ba

Group Art Unit
2773



☒ Responsive to communication(s) filed on Aug 23, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-7 and 9 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-7 and 9 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☒ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

BA HUYNH
PRIMARY EXAMINER

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 2773

DETAILED ACTION

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Amber Stewart (acting on behalf of Mr. Charles Berman) on 10/10/00.

2. The application has been amended as follows:

In the preliminary amendment filed on 8/23/00, page 2, in the phrase "Please cancel original claim 8 and *add new* claims 1-7 as follow", replace "add new" by "amend".

Response to Amendment

3. The preliminary amendment filed on 8/23/00 has been entered into the record. Claims 1-7, and 9 are pending in the application. Claim 8 has been canceled.

NOTE: This application contains a un-entered amendment after final (paper #14) filed on 6/26/00 following the interview on 6/22/00, and a preliminary amendment filed on 8/23/00. The applicant selected to enter only the preliminary amendment, as indicated in the CPA filing

Art Unit: 2773

request (paper #16). The languages in the amendments also reflect the applicant's intention.

Accordingly, paper #14 will not be entered.

4. Applicant fails to provide an argument to clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made, and how the amendments avoid such references or objections.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 5-7 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 5, line 3: The limitation "a first sub-screen displaying *a first area of image data of that page*" is not clearly supported by the specification. According to figure 3 and the corresponding description in the specification, the first sub-screen displays a reduced image of an entire page not just an area of the page. The same problem is found in lines 5-6 of claim 7.

Claim 6, lines 8-9: The phrase "displaying the part of said first area of image data displayed in said main screen on said first sub-screen" appears to recite that the enlarged image

Art Unit: 2773

data is to be displayed on the sub-screen together with a display indicating frame ? This limitation is not clearly supported by the specification. As appears from the applicant's figure 3, which shows the *displaying of a display indicating frame in the first sub-screen for selecting part of image data of the first area to be displayed on the main screen.*

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1-4, 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- As for claim 1, line 9: The phrase "*a main screen for moving said display indicator frame (1) and said image data within said main screen in correspondence to an output representing movement of a pointing device (2) as notified by said first sub-screen window, said first sub-screen window causing said display indicating frame to be moved within said first sub-screen while said pointing device is in dragging state (3)*" is confusing because it is not clear as to whether the display indicating frame is moved under the control of (1) the main screen, (2) the pointing device, or (3) the first sub-screen window. The same problem is found in claim 2.

- As for claim 4, line 6: The phrase "*displaying an area displayed in said main screen with a display indicating frame on said first sub-screen*" is not clear as to:

Art Unit: 2773

(a) what the applicant meant by “displaying an displayed area”. If the area is already displayed (“area displayed”), then it is not clear as to what is the meaning of displaying the already displayed area ?

(b) also it is not clear as to whether the display indicating frame is displayed in the main screen together (“with”) the “*displayed area*”, or in the first sub-screen ?

Claim Rejections - 35 USC § 102

9. Claims 1, 4, 6 are rejected under 35 U.S.C. 102(e) as being anticipated by US patent #5,945,998 (Eick).

- As for claims 1, 4, 6: Eick teaches a window display device which displays image data on a display screen 501, comprising:

a first subscreen of the display associated with a subscreen rectangle 205(1) for displaying a first area of image data;

a main screen 509 displaying a part of the first area with enlargement;

a second subscreen associated with a second subscreen rectangle for displaying a second area which is adjacent to the first area 205(1);

a first subscreen image rectangle 205(1) for displaying an area displayed in the main screen with a display indicating frame 504 on the first subscreen;

a main screen image window 505 for moving the indicating frame and the display area within the main screen in correspondence to an output representing movement of a pointing

Art Unit: 2773

device 103 as notified by the first subscreen window, the indicating frame is moved within the first subscreen while the pointing device is in dragging state;

a second subscreen image window (adjacent to 205(1)) for displaying the indicating frame in the second subscreen when the indicating frame is dragged to the second subscreen (See explanation of figure 5). Since the indicating frame 504 can not be dragged off the subscreen window 205, it is implicitly included in Eick that the subscreen window 205 "causing" the indicating frame 504 to be moved within the first subscreen. Eick fails to specifically teach that the rectangles 205 are windows. However since the rectangles have rectangular boundaries for displaying image data as read in light of the applicant's specification, the rectangles are being equated as equivalent to the claimed "sub-screen image window".

Claim Rejections - 35 USC § 103

10. Claims 2,3,5,7, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent #~~5,930,809~~^{5,945,998 (Eick)} (Middlebrook), in view of US patent #6,054,990 (Tran).

- As for claims 2-3, 5, 7: Claim 2-3, 5 and 7 substantially recite the similar elements of claim 1, thus are rejected for the same reason as set forth in the rejection of claim 1. Eick fails to teach that the rectangle 205 displays a reduced image of a "page", however suggests that the rectangle can be used to display pages of spreadsheet or text (col. 21, lines 5-44). Thus it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to implement the rectangle 205 for displaying a reduced page. Motivation of the implementation is

Art Unit: 2773

explicitly suggested by Eick as set forth above. Implementation for scrolling the subscreen windows is well known and would have been obvious to one of ordinary skill in the art.

- As for claim 9: Eick fails to clearly teach that the width of the indicating frame 504 is less than the width of the column. However, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to implement the indicating frame narrower than the width of column. The implementation would have been an obvious design choice since the applicant has not disclose why such implementation is necessary.

11. Claims 1-7, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent #5,930,809 (Middlebrook), in view of US patent #6,054,990 (Tran).

- As for claims 1, 4, 6: Middlebrook teaches a window display device which displays image data on a display screen 30, comprising:

a first subscreen of the display for displaying a first area of image data (the first sub-screen is being interpreted as a first portion of window 34 enclosing a first subset of image data in window 34);

a main screen 32 displaying a part of the first area with enlargement;

a second subscreen of the display for displaying a second area which is adjacent to the first area (the second is being interpreted as a second portion of window 34 enclosing a second subset of image data in window 34, different from the first subset);

Art Unit: 2773

an indicator 48 for indicating an area of image data in window 34 to be displayed in the main screen, the selected area having a boundary corresponding to the boundary of the enlarged image data in the main screen 32,

means for moving the indicator 48 and the display area within the main screen in correspondence to an output representing movement of a pointing device (col. 4, lines 5-16) as notified by the first subscreen window, the indicator 48 is moved within the first subscreen while the pointing device is in dragging state;

means for displaying the indicator 48 in the second subscreen when the indicator 48 is dragged to the second subscreen. Middlebrook fails to specifically teach that the indicator 48 having a frame, i.e., a boundary visualizing an area of image data to be displayed in the main window 32. However, it is clear from Middlebrook that image data displayed in main window 32 corresponds to an invisible frame in which the indicator 48 is at the center (col. 3, lines 58 - col. 4, line 16). In an analogous field of information scrolling and enlargement, Tran teaches the implementation of an indicating frame 106'' for selecting an image data area to be displayed in the enlarged view (figure 2B). Thus it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine Tran's teaching of the indicating frame 106'' to Middlebrook indicator 48. Motivation of the combining is for providing a visual indication of the selected image data area.

Art Unit: 2773

- As for claims 2-3, 5, 7: Claim 2-3, 5 and 7 substantially recite the similar elements of claim 1, thus are rejected for the same reason as set forth in the rejection of claim 1. Window 34 displays pages of image data, including page delimiters (figure 3, #52).

- As for claim 9: In view of the combined Tran's indicating frame 106", the width of the indicating frame will be less than the width of the window 34, and the height of the indicating frame will be less than the height of the window 34.

Inquires

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 308-9051 may be used for formal communications or (703) 308-6606 for informal or draft communications. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huynh-Ba whose telephone number is (703) 305-9794. The examiner can normally be reached on Monday-Friday from 8.00AM to 4.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Kim, can be reached on (703) 305-3821.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

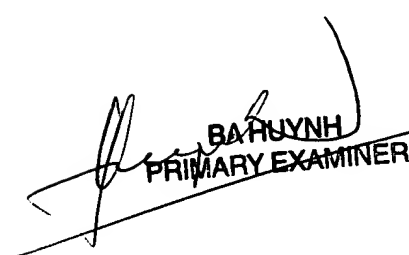
Application/Control Number: 09/040,539

Page 10

Art Unit: 2773

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Huynh-Ba
Primary Examiner
Art Unit 2773
10/15/00


BA HUYNH
PRIMARY EXAMINER